

REMARKS

Claims 13-24 and 26-30 are pending in the subject application, of which claim 13 is independent. Claim 30 is new. Favorable reconsideration and further examination are respectfully requested.

Claim rejections under 35 U.S.C. § 103

Claims 13-24 and 26-29 were rejected over U.S. Patent No. 5,933,811 ("Angles") in view of U.S. Patent No. 6,173,322 ("Hu") and further in view of U.S. Patent No. 5,848,396 (Gerace).

Independent claim 13, as amended, is shown below.

13. A system comprising:

a creative selection server coupled to a network;

a content server, coupled to the network separately from the creative selection server, that issues at least one redirect command to a user computer in response to receiving a user request for non-advertising content, wherein the redirect command is configured to direct the user computer to a direct connect server and wherein the redirect command includes information descriptive of the location that the user computer was browsing on the content server; and

the direct connect server being connected to the network separately from the creative selection server and the content server, wherein the direct connect server:

establishes, on the direct connect server, a Uniform Resource Locator (URL) to receive the redirect command;

associates the URL on the direct connect server with a URL on the content server to correspond to a specific location that the user computer was browsing on the content server;

receives, at the URL on the direct connect server associated with the URL on the content server, creative selection criteria from the user computer; and

responsive to the user request to receive non-advertising content and the at least one redirect command from the content server:

configures, using the direct connect server, the user profile to reflect the URL of the specific location that the user computer was browsing on the content server;

generates a request for a creative message as a function of the creative selection criteria, the request including the user profile that reflects the URL the information descriptive of the specific location that the user computer was browsing on the content server;

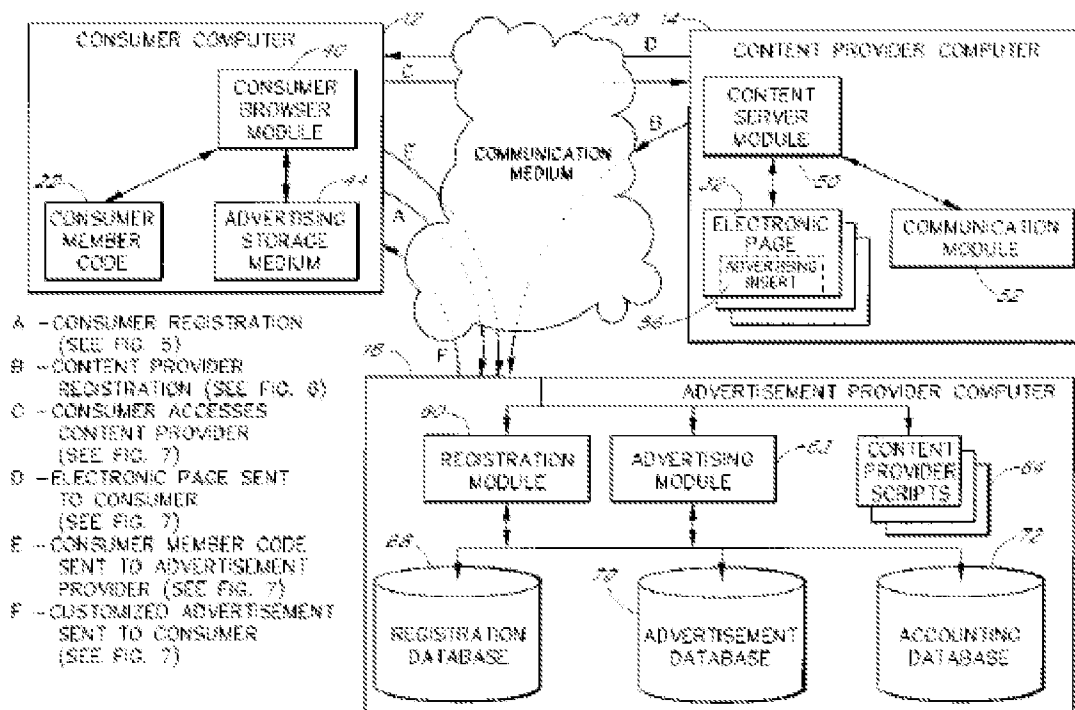
transmits the request for the creative message to the creative selection server;

receives an identification of one or more creatives from the creative selection server; and

sends the identification of the one or more creatives to the user computer;
wherein the direct connect server is configured to transmit one or more fail safe communications to the user computer if the direct connect server does not receive the identification of the one or more creatives from the creative selection server within a threshold amount of time.

The applied art is not understood to describe or suggest at least the underlined features of claim 13 above.

More specifically, as shown in FIG. 4 of Angles (reproduced below), Angles is understood to disclose techniques for delivering customized electronic advertisements in an interactive communication system.¹



¹ Angles, Abstract.

When consumer computers attempt to access an offer on a content provider computer, an advertising request is sent to an advertisement provider computer.² Upon receiving the advertising request, the advertising provider computer generates a custom advertisement based on the consumer's profile.³ The custom advertisement is then combined with the offering from the content provider computer and displayed on the consumer computer.⁴

Thus, while Angles is understood to disclose providing advertisements to consumers by generating advertising requests and fulfilling those requests by providing advertisements to be served with offers from content providers, Angles is not understood to describe or suggest that a direct connect server is configured to transmit one or more fail safe communications to the user computer. More specifically, Angles is not understood to transmit such fail safe communications based on the direct connect server failing to receive the identification of the one or more creatives from the creative selection server within a threshold amount of time.

Neither Hu nor Gerace remedies the foregoing deficiencies of Angles. While Hu was cited for allegedly teaching a network request manager that can be directly connected to the Internet to provide information to one of many Content Servers which are also directly connected to the Internet,⁵ Hu is not understood to describe or suggest that a direct connect server is configured to transmit one or more fail safe communications to the user computer in the manner recited in claim 13. In addition, while Gerace was relied upon as allegedly disclosing that an advertiser is provided information on a specific webpage that the user was viewing at the time an

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ Office Action, page 6.

advertisement request was submitted,⁶ Gerace is not understood to describe or suggest that a direct connect server is configured to transmit one or more fail safe communications to the user computer in the manner recited in claim 13.

For at least the foregoing reasons, claim 13 is believed to be patentable over the applied art.

CONCLUSION

Dependent claims are believed to define patentable features. Each dependent claim partakes in the novelty of its corresponding independent claim and, as such, the dependent claims have not been discussed specifically herein.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

We believe the application is in condition for allowance, which action is respectfully requested.

⁶ *Id.*, page 13.

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Serial No. : 09/757,389
Filed : January 8, 2001
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Attorney's Docket No.: 16113-1347001

The fee for a two month extension of time is being paid concurrently herewith by way of deposit account authorization. Please apply any charges or credits to Deposit Account No. 06-1050, referencing attorney docket no. 16113-1347001.

Respectfully submitted,

Date: May 16, 2011

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